

**Granted.**

9:10 AM, Dec 15, 2021

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION - CINCINNATI



MICHAEL SLOCUM,	:	Case No. 1:18-cv-423
	:	
Plaintiff,	:	Judge Douglas R. Cole
	:	
v.	:	Magistrate Judge Karen L. Litkovitz
	:	
SGT. S. BEAR, <i>et al.</i> ,	:	
	:	
Defendants.	:	

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JOINT MOTION TO SCHEDULE A STATUS CALL TO DISCUSS REFERRING  
THIS CASE FOR MEDIATION

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The parties jointly request that the Court schedule a telephonic status conference to discuss the possibility of referring this case for mediation. This motion is supported by the attached memorandum.

Respectfully submitted,

/s/ David P. Dornette

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*Counsel For Defendants*

## MEMORANDUM IN SUPPORT

In October 2017, Plaintiff Michael Slocum was assaulted by multiple prison guards while serving an unrelated sentence at the Southern Ohio Correctional Facility in Lucasville (“Lucasville”). Mr. Slocum filed this case *pro se* in June 2018, initial discovery concluded in August 2020, and summary judgment was granted in part and denied in part in August 2021. The Court then appointed Plaintiff’s counsel on October 19, 2021. On October 27, 2021, Mr. Slocum, through counsel, offered Defendants a settlement offer. But since all settlement offers must go through the Director of Ohio’s Department of Rehabilitation & Correction, defense counsel has not yet been able to provide an affirmative response or counter-proposal.

Thereafter, Mr. Slocum moved to reopen discovery and establish a trial calendar. The Court granted the motion, and this case is now set for a jury trial on May 9, 2022. However, last week, Mr. Slocum notified counsel of an incident that occurred involving two prison guards at Lucasville. Although these two guards are not presently named as Defendants in this case, Mr. Slocum takes the position that their actions constitute a claim for retaliation. Mr. Slocum is thus inclined to seek leave from the Court to file an amended complaint. But doing so would delay the established trial calendar and, if granted, lead to a new round of pleadings, service of process, motions, and discovery.

So, before Mr. Slocum pursues this route (and in hopes of reaching a quick, amenable resolution to this matter), he requests that the Court schedule a status call to discuss the possibility of referring this case for mediation. Doing so will hopefully help expedite settlement negotiations and avoid any further delays in this nearly four-year-

old case. Plaintiff's counsel discussed this matter with defense counsel, who agrees that a mediation attempt is a good idea and thus joins in Mr. Slocum's request.

For the reasons above, the parties jointly requests that the Court schedule a telephonic status conference to discuss this matter and refer this case for mediation.

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that a true and accurate copy of the above was filed electronically on December 14, 2021. Notice of this filing will be sent to all parties through the Court's electronic filing system.

/s/ David P. Dornette